

Application No.: 10/710,714

Docket No.: 04602-00177-US

REMARKS

Applicant requests the Examiner to reconsider the application as amended. Claims 1 to 19 are pending in the application. Claims 1 to 18 were indicated as allowed. Claim 19 has been amended. Support for amended claim 19 can be found *inter alia* in Figs. 6, 7 and 8, and paragraph 25 of the written description.

Applicant has presented claim 19 as an alternative manner of claiming the size-convertible cover invention. In claim 19, the cover has a flap portion that forms an integral pouch defining a receiving space between the flap portion rear face and the cover rear face for receiving a portion of a pillow or duvet of longer length when the front and rear faces of the cover are not folded into the internal portion of the cover. Thus, the longer-length pillow is enveloped by material forming the pillow cover. See Fig. 7.

I. Designation of Allowable Subject-matter

Applicant wishes to thank the Examiner for indicating that claims 1-18 are allowed.

II. Rejection under 35 U.S.C. § 102

Applicant respectfully traverses the Examiner's assertion that claim 19 is anticipated by Bertha (US 1775061) under 35 U.S.C. 102(b).

Bertha discloses a duplex pillow cover having an inner cover 9 and an outer cover 8. Bertha intends both an inner and an outer cover that are permanently stitched together. The inner cover 9 defines an internal portion for receiving a pillow and an external portion having a front face and a rear face (best seen in Fig. 4). Inner cover 9 defines an open end communicating with the internal portion, and the front face defines at least one opening (col. 2, lines 59-66). A flap (extension 12) is folded within the internal portion (corners 13) at the open end of cover 9 (best

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seen in Fig. 3). At least one fastener 15 attached to a face of the flap is engagable with an opening 16 in the face of the cover to secure the cover over a pillow within the cover.

Claim 19 patentably distinguishes from Bertha for at least the following reasons:

1. Bertha does not disclose a size-adjustable pillow cover. Bertha's pillow cover is intended to accommodate only a standard size pillow. There is no teaching to adjust the flap (extension 12) so that a longer length pillow may be held within the cover and be fully enveloped with cover material.
2. Bertha does not have a flap portion forming an integral pouch that defines a receiving space between the flap portion and the cover for receiving a portion of a pillow of a longer length. Instead, Bertha discloses two folded over corners 13 that are stitched down by seams 14.

Accordingly, claim 19 should be allowed.

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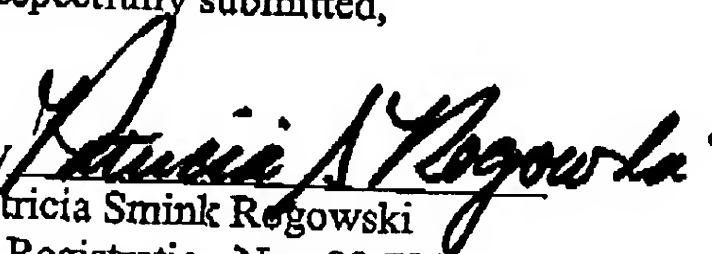
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Applicant believes no fee is due with this response and amendment. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 04602-00177-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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